



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Santee Modular Homes, Inc.

File: B-270084

Date: November 29, 1995

DECISION

Santee Modular Homes, Inc. protests the award of a contract to Santee Dock Builders by the Department of Agriculture under solicitation No. NRCS-25-SC-95.

We dismiss the protest because the protester failed to file its comments on the agency report within 14 calendar days after the report due date, as required by our Bid Protest Regulations, Section 21.3(h), 60 Fed. Reg. 40,737, 40,741 (Aug. 10, 1995) (to be codified at 4 C.F.R. § 21.3(h)). In this regard, we received the agency's administrative report regarding Santee's protest on November 6, 1995. Santee was therefore required to submit its comments not later than November 20.

The filing deadlines in our Regulations are prescribed under the authority of the Competition in Contracting Act of 1984; their purpose is to enable us to comply with the statute's mandate that we resolve protests expeditiously. See 31 U.S.C. § 3554(a); Green Mgmt. Corp.-Recon., B-233598.2, Feb. 27, 1989, 89-1 CPD ¶ 208. To avoid delay in the resolution of protests, our Regulations provide that a protester's failure to file comments within 14 calendar days, or to file a request that the protest be decided on the existing record, or to request an extension of the time for submitting comments, will result in dismissal of the protest. Section 21.3(h), 60 Fed. Reg. supra; Prio-Leau Culinary Servs., Inc.-Recon., B-236373.6, Jan. 23, 1990, 90-1 CPD ¶ 90. But for this provision, a protester could idly await receipt of the report for an indefinite time, to the detriment of the protest system and our ability to resolve the protest expeditiously. Id.

The protest is dismissed.

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